

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

HARRY SMITH, JR., and ROSLYN)
WOODARD SMITH, individually and as)
Administrators of the ESTATE OF HARRY)
SMITH, III)

Plaintiffs,)

v.)

CITY OF WILMINGTON, JOHN)
CIRITELLA, THOMAS DEMPSEY and)
MATTHEW KURTEN,)

Defendants.)

C.A. No. 04-1254-GMS

JURY TRIAL DEMANDED

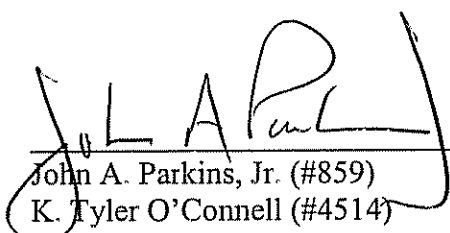
**DEFENDANTS' RESPONSE TO PLAINTIFFS' MOTION FOR
ENLARGEMENT OF TIME TO COMPLETE DISCOVERY**

Plaintiffs correctly recite that defendants do not oppose their motion for additional time to complete fact discovery and supply expert reports. However, plaintiffs motion and form of order do not mention that the extension of time in which to supply expert reports will necessitate an extension of time in which to supply rebuttal reports and complete expert discovery. Defendants are serving herewith a proposed form of order which accounts for those extensions. These additional changes will not affect the dates for the filing of dispositive motions, the pretrial conference and the trial in this matter.

OF COUNSEL:

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Dated: May 26, 2006


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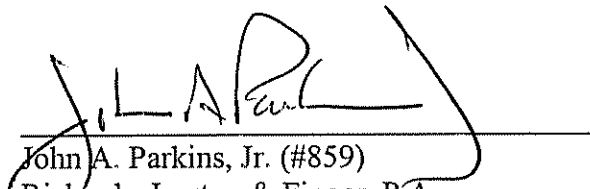
CERTIFICATE OF SERVICE

I hereby certify that on May 26, 2006, I electronically filed the foregoing document with the Clerk of Court using CM/ECF which will send notification of such filing(s) and Hand Delivered to the following:

Kester I.H. Crosse, Esquire
Williams & Crosse
1214 King Street
Suite 300
Wilmington, DE 19801

I hereby certify that on May 26, 2006, I have sent by U.S. Regular Mail, the foregoing document to the following non-registered participants:

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